

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

ANTONIO JACKSON,

Petitioner,

v.

**GEORGIA BOARD OF PARDONS
AND PAROLES,**

Respondent.

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Civil Action No. 7:05-cv-100 (HL)

ORDER

Before the Court is a Motion for Reconsideration (Doc. # 10) filed by Petitioner Antonio Jackson (“Jackson”). For the reasons set forth below, the Motion is denied.

I. BACKGROUND

Jackson filed a Petition for Writ of Habeas Corpus (Doc. # 1) on September 19, 2005, in which he challenged his parole revocation and timely consideration for parole. In response, the Georgia Board of Pardons and Paroles filed a Motion to Dismiss (Doc. # 5), maintaining none of Jackson’s claims had ever been presented to the state courts for review. Thereafter, the United States Magistrate Judge issued an Order (Doc. # 6) directing Jackson to respond to the Motion to Dismiss and instructing him as to the potential consequences for his failure to do so.

More than five months passed, Jackson never responded to the Motion or Order, and the United States Magistrate issued a Recommendation (Doc. # 7) that Jackson’s petition be

dismissed without prejudice to his right to refile once he had exhausted the remedies available to him in the state court system. Jackson failed to file any objections to the Recommendation within the ten day allotted time period, and the Court issued an Order adopting the Recommendation (Doc. # 8). Jackson has now filed a Motion for Reconsideration (Doc. # 10).

II. ANALYSIS

In his Motion for Reconsideration, Jackson contends that “he did not object to Respondent Motion because he was hoping that the courts would judge upon the facts that petitioner presented within his original complaint.” (*Id.* at 1.) He then proceeds to restate the alleged merits of his underlying claim and concludes with a plea for help to the Court. (*Id.* at 1-2.) Having read and fully considered Jackson’s Motion, the Court finds it to be without merit. Unfortunately, despite being told on numerous occasions and in plain language that he must exhaust the remedies available to him in the state court system, Jackson continues to fruitlessly pursue relief in the federal court system. Accordingly, the Court finds no reason to reconsider or set aside its earlier decision (Doc. # 8) to approve, adopt and make an order of the Court the United States Magistrate Judge’s Recommendation.

III. CONCLUSION

The Motion for Reconsideration (Doc. # 10) is denied.

SO ORDERED, this the 27th day of July, 2006.

s/ Hugh Lawson
HUGH LAWSON, JUDGE

pdl